

WARWICK TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2 OF 1978  
AS AMENDED BY ORDINANCE NO. 2 OF 1994  
AS AMENDED BY ORDINANCE NO. 2003- 6

AN ORDINANCE PRESCRIBING PARKING REGULATIONS IN THE EVENT OF SNOW EMERGENCIES; PROHIBITING THE DEPOSIT OF ICE OR SNOW ON PUBLIC AND PRIVATE STREETS AND PUBLIC PROPERTY; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Be it enacted and ordained by the Board of Supervisors of Warwick Township, Chester County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION 1. INTERFERENCE WITH SNOW REMOVAL, SALTING, CINDERING OR PLOWING.

It shall be unlawful to park any vehicle on any public street or road during the course of any snow storm, ice storm or snow fall, during the course of which or following which any salting, cindering, plowing or other snow or ice removal operations are undertaken by the Township or any other governmental unit authorized to undertake such operation or by any private contractors under contract for such operations to the Township or to any other governmental unit authorized to undertake such operation. It shall further be unlawful to park any vehicle on any public street or road following such storm for a period of twelve (12) hours or until the completion of any salting, cindering, plowing, or snow removal operations as aforesaid, whichever period is greater. A snow storm, ice storm, or snow fall requiring salting, cindering, plowing or other snow removal operations as aforesaid shall be construed to mean any such snow storm, ice storm or snow fall during or immediately following, which the Township or other governmental unit or private contractor under contract to the Township or other governmental unit actually undertakes such operations and shall include but not be limited to any storm during which there is an accumulation of at least one (1) inch of snow or any accumulation of ice.

SECTION 2. AUTHORITY TO REMOVE AND IMPOUND ILLEGALLY PARKED VEHICLES.

The Township is hereby authorized to remove and impound or to order the removal and impounding of any vehicle parked on any street or roads or sidewalks of Warwick Township in violation of the provisions of this Ordinance providing that no vehicle shall be removed or impounded except in adherence to the provisions of this Ordinance.

SECTION 3. DESIGNATION OF APPROVED STORAGE FACILITY.

The Township by resolution may designate an approved storage facility as a pound for the storage of such impounded vehicles and every such approved storage facility shall post a bond in an amount fixed by the Township by resolution from time to time, said bond to be filed with the Board of Supervisors for indemnifying the owner of any such impounded vehicle against the loss thereof or injury or damage thereto while in the custody of such storage garage.

SECTION 4. TOWING AND STORAGE CHARGE AS FIXED.

The Township may, by resolution, from time to time fix and establish as the charges that shall be made for the towing and storage of any vehicle removed and impounded under the authority of this Ordinance.

SECTION 5. TOWNSHIP TO NOTIFY OWNER.

Within twelve (12) hours from the time of the removal of any vehicle and under the authority of this Ordinance, notice of the fact that such vehicle has been impounded shall be sent by the Township to the owner of record of such vehicle; such notice shall designate the place from which such vehicle was removed, the reasons for its removal and impounding and the place it shall have been impounded.

SECTION 6. EFFECTIVE PAYMENT OF CHARGES WITHOUT PROTEST.

The payment of any towing and impounding charges as authorized by this Ordinance shall, unless such payment shall have been made under protest, be final and conclusive and shall constitute a waiver of any right to recover the monies so paid.

SECTION 7. PAYMENT OF CHARGES UNDER PROTEST.

In the event that any towing and impounding charges so imposed shall be paid under protest, the offender shall be entitled to a hearing before a District Justice or court of record having jurisdiction, in which case such offender shall be proceeded against and

shall receive such notice as is provided by the Vehicle Code as in other cases of summary offenses and shall have the rights as to appeal and waiver of hearing as therein provided.

SECTION 8. RECORDS OF VEHICLES IMPOUNDED.

The Township shall keep a record of any vehicles impounded and shall be able to all reasonable times to furnish to owner or agents or the owners thereof with information as to the place of the storage of such vehicles.

SECTION 9. OWNER OR OPERATOR OF VEHICLE REMAINS LIABLE.

The paying of towing and storing charges shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for the violation of any law or ordinance on account of which such vehicle was removed and impounded.

SECTION 10. RESTRICTIONS UPON REMOVAL OF VEHICLES.

No vehicles shall be removed under the authority of this Ordinance if, at the time of the intended removal thereof the owner or person in charge of such vehicle is present and expresses a willingness and intention to remove such vehicle immediately.

SECTION 11. DEPOSITING SNOW ON PRIVATE STREETS, PUBLIC STREETS, PUBLIC PARKS OR PUBLIC PROPERTY.

It shall be unlawful for any person, firm, corporation or other entity to push, dump or deposit in any manner, or cause to be pushed, dumped or deposited in any manner, any snow or ice which has accumulated on any street, sidewalk or property onto any private street, public street, public park or public property in Warwick Township.

SECTION 12. EXCEPTION.

The provisions in Section 11 shall not apply to Warwick Township, its employees and contractors, involved in snow removal and deicing operations.

SECTION 13. NOTICE OF VIOLATION.

Any person violating the provisions of Section 11, upon the direction of a Township supervisor, the Township administrator, the Township road superintendent or their designees, shall immediately desist from pushing, dumping or depositing snow or ice onto the street or public property, and shall remove any snow and ice from the street or public property that has been unlawfully deposited there. If the person so notified fails to comply as aforesaid, the Township shall assess a fine as provided in Section 14 herein below.

SECTION 14. ENFORCEMENT AND PENALTY.

Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than six hundred (\$600.00) dollars along with costs and any attorney fees incurred by the Township. Each day that a violation continues shall be deemed a separate offense.

SECTION 15. SEVERABILITY.

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional or illegal, such decision shall not affect the validity of any of the remaining provisions of this of this Ordinance; and it is hereby declared as a legislative intent that this Ordinance would have been adopted and such unconstitutional or illegal provision not been included herein.

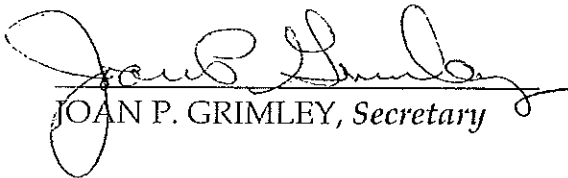
SECTION 16. EFFECTIVE DATE.

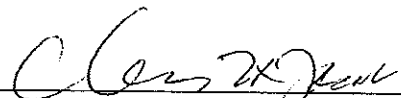
This Ordinance shall be and become effective five (5) days from the passage thereof.

ENACTED AND ORDAINED by the Board of Supervisors of Warwick Township, Chester County, Pennsylvania, this 29<sup>th</sup> day of December, 2003.


BOARD OF SUPERVISORS  
WARWICK TOWNSHIP

ATTEST:

  
JOAN P. GRIMLEY, *Secretary*

BY:   
CHARLES H. JACOB, *Chairman*

BY:   
ROBERT JOHNSON, *Vice Chairman*

BY:   
WILLIAM J. REAM, JR., *Member*